(1)

Supreme Court, U.S.
FILED

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No.

In The

Supreme Court of the United States

October Term, 1997

JAMES A. HINCHLIFFE
and
YONG SUN HINCHLIFFE
Petitioners,

v.

THE PRUDENTIAL HOME MORTGAGE COMPANY, INC.
Respondents.

Petition for a Writ of Certiorari to the
SUPREME COURT OF PENNSYLVANIA

PETITION FOR A WRIT OF CERTIORARI

JAMES A. HINCHLIFFE
and
YONG SUN HINCHLIFFE
Pro Se Petitioners
105 National Avenue
Lower Chichester, Pennsylvania 19061
(610) 497-9755

23 pp

QUESTION(S) PRESENTED

1. Did the Appellate Courts below have jurisdiction in this matter?

2. Was an Order pursuant to Pa. R.A.P. 2185(a) issued in this matter?

3. Can the Appellate Courts below depart from the accepted and usual course of judicial proceedings, or sanction such a departure?

4. Can the Appellate Courts below loose jurisdiction over a matter as to call for an exercise of the United States Supreme Court's supervisory power?

LIST OF PARTIES

In accordance with United States Supreme Court Rule 14.1(b), the names of all parties appear in the caption of the case on the cover page.

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APPENDIX B ..... Order of State Court of Appeals dated August 23, 1996.

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APPENDIX E ..... Order of State Supreme Court dated August 12, 1997.

APPENDIX F ..... Order of State Supreme Court dated September 16, 1997.

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1997

PETITION FOR WRIT OF CERTIORARI

Petitioners, James A. Hinchliffe and Yong Sun Hinchliffe respectfully pray that a writ of certiorari issue to review the judgments below, of which matter has not yet been adjudicated by any appellate court below.

OPINIONS BELOW

The date on which the highest state court decided this case was August 12, 1997. The reformated decision appears at (Appendix E) to the petition. A timely petition for reconsideration was thereafter denied on September 16, 1997, and the reformated order denying reconsideration appears at (Appendix F) to the petition.

JURISDICTION

The jurisdiction of this Court to review the judgment of the Court of Appeals is invoked under 28 U.S.C. § 1254(1).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Constitutional right to use of the Appellate Court process. The Appellate Courts below have not yet reviewed, heard in any manner, nor has not adjudicated any issues or matters in this appeal thus far.

STATEMENT OF THE CASE

Petitioners, filed a timely notice of appeal at the Trial Court below and petitioners, have perfected this appeal thru the Appellate Court below, pursuant to Pa. R.A.P. thus far.

The Appellate Courts below have not yet reviewed, heard in any manner nor adjudicated any issues or matters in this appeal thus far.

Petitioners, in this matter are at a extreme disadvantage due to the fact that the Appellate Courts below have not adjudicated this matter on appeal pursuant to Pa. R.A.P..

The Appellate Courts below have not issued any opinion of any kind, nor has any of the Appellate Courts below adjudicated this matter in any way pursuant to Pa. R.A.P..

Petitioners, respectfully hesitate to make any judgment against the Appellate Courts below as to the Appellate Court's failures and/or errors in this Appellate process.

REASONS FOR GRANTING THE PETITION

The Appellate Courts below have not yet in any way adjudicated this matter on appeal.

The Appellate Courts below have erred in this Appellate process and has harmed the petitioners, in this matter.

The Appellate Courts below have caused error and conflict in the Appellate process, as to call for an exercise of the power of an immediate and speedy supervision of the Supreme Court of the United States.

By use of the United States Supreme Court's supervisory power, important questions will be answered that the Appellate Courts below failed to or were unable to answer.

If possible for the Appellate Courts below to loose jurisdiction over a matter, perhaps and in fact the Supreme Court of the United States has or gains a full jurisdiction over such matter.

The Appellate Court's below, loss of control in this matter has become an adversity to the petitioners and if a precedent is made, this matter becomes of a national importance.

CONCLUSION

For all of the foregoing reasons, the Petitioners respectfully request that a Writ of Certiorari issue to review all of the decision below. The petition for a writ of certiorari should be granted.

Respectfully submitted,

JAMES A. HINCHLIFFE and
YONG SUN HINCHLIFFE
Pro Se Petitioners
105 National Avenue
Lower Chichester, Pennsylvania 19061
(610) 497-9755